



PATENT APPLICATION
Mo-6761
LeA 35,018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
RUTH MEISSNER ET AL) GROUP NO.: 1616
SERIAL NUMBER: 09/988,863)
FILED: NOVEMBER 21, 2001)
TITLE: PLANT PHOSPHOMEVALONATE)
KINASES)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231
Sir:

This paper is in response to a Notice to File Missing Parts of Nonprovisional Application issued in this case dated December 26, 2001. A two month period for response was set, bringing a response to be due on or before February 26, 2002.

03/28/2002 HHARNOL 00000013 133848 09988863
01 FC:105 130.00 CH

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
enveloped addressed to: Assistant Commissioner for
Patents, Washington, D.C. 20231, on 02/25/02
Date

Raymond J. Harmuth Reg. No. 33,896
Name of applicant, assignee or Registered Representative
Raymond J. Harmuth
Signature
February 25, 2002
Date

Missing Executed Declaration

The Notice to File Missing Parts stated that the oath or declaration was missing. In response, Applicants are filing herewith a Combined Declaration and Power of Attorney, executed by all of the inventors to complete the subject application.

Also enclosed is a copy of the Formalities Letter as required including the Raw Sequence Listing Error Report that was attached thereto.

Please charge the filing fee for filing the Declaration on a date later than the filing date, \$130.00 to Deposit Account Number 13-3848, as well as the one month fee for Extension of Time to respond to the Notice to File Missing Parts. This paper submitted in triplicate, is also authorization to charge any insufficiency of fees which may be required by this paper to Deposit account Number 13-3848.

Correction of Sequence Listing

The Notice to File Missing Parts also stated that although a copy of the Sequence Listing in computer readable form was submitted, the content of the computer readable form does not allegedly comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the marked-up Raw Sequence Listing attached to the Notice to File Missing Parts. The Notice to File Missing Parts stated that Applicants must provide a substitute computer readable form copy of the Sequence Listing and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and includes no new matter as required by 37 C.F.R. Section 1.821(e-g) and 1.825(b) and 1.825(d).

In response Applicants are filing herewith a substitute Sequence Listing for the nucleotide/amino acid sequence(s) in this application and 3.5 inch labeled diskette having thereon a substitute computer readable form copy of the substitute Sequence Listing. The attached diskette is labeled in accordance with 37 C.F.R. 1.824(a)(6) and is submitted in the American Standard Code for Information Interchange (ASCII) text.

Herein below is the requested statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing as required by 37 C.F.R. Section 1.821(g). Because this submission is made in fulfilling the requirement under 37 C.F.R. 1.821(g), also included herein below is a statement that the submission includes no new matter.

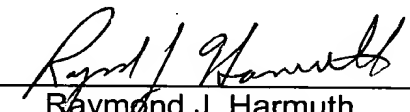
Statement that Sequence Listing and Computer Readable Copy Thereof Are the Same And That Papers Submitted Includes No New Matter

I, Raymond J. Harmuth, Esq., Registration No. 33,896 hereby state:

1. That I am an attorney of record in this case and am so identified in the Combined Declaration and Power of Attorney being filed concurrently herewith;
2. That the substitute computer readable form being submitted concurrently herewith is identical to the written substitute Sequence Listing also being submitted concurrently herewith;
3. That the amendments made in the substitute sheets of the Sequence Listing are supported in the application, as filed, and that the substitute sheets of the Sequence Listing do not include new matter.

Having complied with all of the outstanding requirements, Applicants request that the file be forwarded for examination.

Respectfully submitted,

By 
Raymond J. Harmuth
Attorney for Applicants
Reg. No. 33,896

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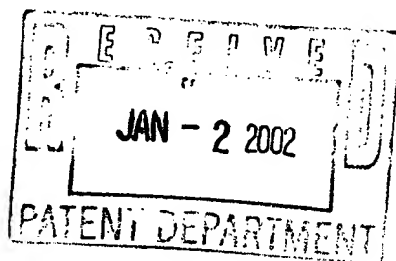


UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/988,863	11/21/2001	Ruth Meissner	Mo6761/LeA 35,018

00157
BAYER CORPORATION
PATENT DEPARTMENT
100 BAYER ROAD
PITTSBURGH, PA 15205



CONFIRMATION NO. 9206

FORMALITIES LETTER



OC000000007231608

Date Mailed: 12/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY